



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 129] Jammu, Thu., the 17th Nov., 2016/26th Kart., 1938. [No. 33

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PART I-A

Jammu & Kashmir Government—Orders

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU.

Notification

No. 223 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Kuljit Kour D/o Mr. Gurjit Singh R/o H. No. 81, Sector-6, Model Town, Digiana, Jammu vide Notification No. 1115 dated 19-03-2014 has been declared as absolute/final.

By order.

Notification

No. 224 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Pawandeep Kour D/o Mr. Lehna Singh R/o Ward No. 12, Near I. T. I. College, R. S. Pura, Jammu vide Notification No. 1013 dated 18-03-2014 has been declared as absolute/final.

By order.

Notification

No. 225 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nayeem Akhter D/o Mr. Mohd Iqbal R/o Planger, Thana Mandi, Rajouri, A/P Nowabad, Sunjwan Road, Near Pooja Medical Hall, Jammu vide Notification No. 1117 dated 19-03-2014 has been declared as absolute/final.

By order.

Notification

No. 226 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Roshan Aara D/o Mr. Mushtaq Ahmad Lone R/o Hanjim, Beribagh (Yaripora), Kulgam vide Notification No. 745 dated 15-11-2014 has been declared as absolute/final.

By order.

Notification

No. 227 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Gh. Mohd Lone S/o Mr. Ab. Gani Lone R/o Dard Harie, Khargund, Kralpora, Kupwara vide Notification No. 542 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 228 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Kulsum Rashid D/o Mr. Ab. Rashid Najar R/o Baba Raza, Sopore, Baramulla vide Notification No. 748 dated 15-11-2014 has been declared as absolute/final.

By order.

Notification

No. 229 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Sakeb Nabi Wani S/o Mr. Gh. Nabi Wani R/o

Wussain Bangil, Wani Mohalla, Tehsil Tangmarg, District Baramulla vide Notification No. 814 dated 17-12-2013 has been declared as absolute/final.

By order.

Notification

No. 231 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Insha Rashid D/o Mr. Haroon Rashid Bhat R/o H. No. 4, Lane No. 7, Moomizabad, Tangpora, Batmalloo, Srinagar vide Notification No. 345 dated 01-10-2015 has been declared as absolute/final.

By order.

Notification

No. 232 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Lone Altaf S/o Mr. Ghulam Mohd Lone R/o Kujar, Ganderbal, Moh. Chandapora, Tehsil and District Ganderbal vide Notification No. 506 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 233 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Tamkeen Bhat S/o Mr. Nazir Ahmad Bhat R/o Muqdam Mohalla, Pampore, District Pulwama vide Notification No. 927 dated 23-12-2014 has been declared as absolute/final.

By order.

Notification

No. 234 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Muzamil Yousuf Bhat S/o Mr. Mohd Yousuf Bhat R/o Khonmoh, Srinagar vide Notification No. 728 dated 14-11-2014 has been declared as absolute/final.

By order.

Notification

No. 235 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Syed Musaib S/o Syed Khurshid Ahmad R/o Nawab Bazar, Srinagar vide Notification No. 486 dated 01-10-2014 has been declared as absolute/final.

By order.

Notification

No. 236 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Saiema Nissar D/o Mr. Nissar Ahmad Sheikh R/o Pantha Chowk, Srinagar vide Notification No. 730 dated 14-11-2014 has been declared as absolute/final.

By order.

Notification

No. 237 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Suriya Akhter D/o Mr. Abdul Ahad Bhat

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R/o Malla Bagh, Hazratbal, Tawheed Abad, Srinagar vide Notification No. 376 dated 14-07-2014 has been declared as absolute/final.

By order.

Notification

No. 238 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Adil Hussain Dar S/o Mr. Gulam Mohd Dar R/o Raj Bagh, Kursu, Padashi Bagh, Srinagar vide Notification No. 578 dated 20-09-2013 has been declared as absolute/final.

By order.

Notification

No. 239 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Tanveer Ali Dar S/o Mr. Ali Mohd Dar R/o Khan Mohalla, Chatta Bagh, Budgam vide Notification No. 534 dated 06-09-2013 has been declared as absolute/final.

By order.

Notification

No. 240 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of S. Jeetender Singh S/o Mr. Ratan Singh R/o Chandrigam, Tral, Pulwama (Awantipora) vide Notification No. 1019 dated 18-03-2014 has been declared as absolute/final.

By order.

Notification

No. 241 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohammad Hussain Lone S/o Mr. Manzoor Ahmad Lone R/o Sheerin-Abab-Sheeri, Baramulla vide Notification No. 266 dated 16-07-2015 has been declared as absolute/final.

By order.

Notification

No. 242 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Urgeema Bashir D/o Mr. Bashir Ahmad Rather R/o Hardu Surish, Pethpora, Khag, Budgam vide Notification No. 1151 dated 23-02-2015 has been declared as absolute/final.

By order.

Notification

No. 243 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Farooq Ahmad Mir S/o Mr. Dilawar Ahmad Mir R/o Khurshama Lolab, Tehsil and District Kupwara, A/P Firdousabad, Lane 5, Maharajpora, Batmallo, Srinagar vide Notification No. 876 dated 19-12-2014 has been declared as absolute/final.

By order.

Notification

No. 244 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohammad Imran Khan S/o Mr. Mohammad

Maqbool Khan R/o Chonitpora, Verinag, Doru, Anantnag vide Notification No. 487 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 245 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Zahoor Ahmad Lone S/o Mr. Bashir Ahmad Lone R/o Sheeri, Baramulla vide Notification No. 387 dated 05-10-2015 has been declared as absolute/final.

By order.

Notification

No. 246 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Syed Zahid Hussain S/o Syed Gh. Nabi R/o Poolia (Verinag), Dooru, Anantnag vide Notification No. 887 dated 22-12-2014 has been declared as absolute/final.

By order.

Notification

No. 247 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nazia Iqbal Wani D/o Mr. Iqbal Ahmad Wani R/o H. No. 22, Green Lane, Botshah Mohalla, Lal Bazar, Srinagar vide Notification No. 578 dated 15-10-2014 has been declared as absolute/final.

By order.

Notification

No. 248 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Shabir Ahmad Baba S/o Mr. Gh. Ahmad Baba R/o Mala Bagh, Naseem Bagh, Srinagar vide Notification No. 499 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 249 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Marouf Khan S/o Mr. Abdul Ahad Khan R/o H. No. 149, Umer Colony, Lal Nagar, Chanapora, Srinagar vide Notification No. 502 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 250 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Anjum Dilshad D/o Peer Dilshad Ahmad R/o Old Chanapora, Batpora, Srinagar vide Notification No. 926 dated 23-12-2014 has been declared as absolute/final.

By order.

Notification

No. 251 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Shahnaz Sharief D/o Mr. Mohammad Sharief

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Khan R/o Limber, Boniyar, Baramulla, Khan Mohalla vide Notification No. 344 dated 14-07-2014 has been declared as absolute/final.

By order.

Notification

No. 252 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Javid Iqbal S/o Mr. Ali Mohmad Wani R/o Zaloowa, Chadoora, Budgam vide Notification No. 467 dated 04-04-2013 has been declared as absolute/final.

By order.

Notification

No. 253 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Aabid Altaf Pandath S/o Mr. Mohammad Altaf Pandath R/o Arampora, Sopore, Baramulla vide Notification No. 1384 dated 30-03-2015 has been declared as absolute/final.

By order.

Notification

No. 254 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ibrahim Khurshid Mir S/o Mr. Khurshid Ahmad Mir R/o Mir Mohalla, Gantamulla Bala, Baramulla vide Notification No. 479 dated 05-09-2013 has been declared as absolute/final.

By order.

Notification

No. 256 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nazima Akhter D/o Mr. Gh. Mohi-ud-Din Tantray R/o Kunzer, Ward No. 2/B, Tangmarg, Baramulla vide Notification No. 886 dated 22-12-2014 has been declared as absolute/final.

By order.

Notification

No. 257 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Sunania Sharma D/o Mr. Kewal Krishan Sharma R/o H. No. 82/3, Trikuta Nagar, Jammu vide Notification No. 169 dated 16-05-2014 has been declared as absolute/final.

By order.

Notification

No. 258 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mukesh Singh S/o Mr. Tara Singh R/o Marachangi Khour, Akhnoor, Jammu A/P 57, Panjtirthi Jammu vide Notification No. 497 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 260 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Fatima Irshad D/o Mr. Irshad Hussain Sofi

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R/o Search Payeen Nunar, Tehsil and District Ganderbal vide Notification No. 353 dated 14-07-2014 has been declared as absolute/final.

By order.

Notification

No. 261 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Balbir Singh S/o Mr. Kamal Singh R/o Supwal, Tehsil Samba, District Samba vide Notification No. 903 dated 23-12-2014 has been declared as absolute/final.

By order.

Notification

No. 262 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Basharat Ahmed S/o Mr. Mohd Bashir R/o Mahra Village, Tehsil Surankote, District Poonch vide Notification No. 1135 dated 23-02-2015 has been declared as absolute/final.

By order.

Notification

No. 263 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Jagdish Lal Sharma S/o Mr. Parma Nand Sharma R/o H. No. 107, Lane No. 10, Greater Kailash, Jammu vide Notification No. 400 dated 15-10-2015 has been declared as absolute/final.

By order.

Notification

No. 265 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Raghubir Singh S/o Mr. Manohar Singh R/o H. No. 263, Pacci Dhakki, Jain Bazar, Jammu vide Notification No. 1079 dated 19-03-2014 has been declared as absolute/final.

By order.

Notification

No. 266 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Bhawna Gupta D/o Mr. Dinesh Gupta R/o House No. 20, Naseeb Nagar, Janipur, Jammu vide Notification No. 34 dated 18-04-2015 has been declared as absolute/final.

By order.

Notification

No. 268 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Pawan Honda S/o Mr. Mohinder Pal Honda R/o Ward No. 14, H. No. 110, Dhar Road, Udhampur vide Notification No. 297 dated 23-05-2014 has been declared as absolute/final.

By order.

Notification

No. 269 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Amit Raina S/o Mr. Dwaraka Nath Raina R/o House No. 3, Talli Morh, Doordarshan Lane, Jammu vide Notification No. 1353 dated 30-03-2015 has been declared as absolute/final.

By order.

Notification

No. 270 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Afiya Tabassum Malik S/o Mr. Riaz-ul-Hassan Malik R/o Lowang, Tehsil Bani, District Kathua, A/P Bathendi Near Gulfam Hotel, Jammu vide Notification No. 1385 dated 30-03-2015 has been declared as absolute/final.

By order.

Notification

No. 271 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohd Yaseen S/o Mr. Mohd Bashir R/o Fatehpur Danna, Tehsil and District Rajouri vide Notification No. 361 dated 14-07-2015 has been declared as absolute/final.

By order.

Notification

No. 272 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Parshant Kumar Magotra S/o Mr. Yash Paul Magotra R/o Nagri Parole, Traf Bala, Kathua vide Notification No. 1163 dated 23-02-2015 has been declared as absolute/final.

By order.

Notification

No. 273 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Sonia Manhas D/o Mr. Pritam Singh R/o Bhalwal Malo, Akhnoor, Jammu vide Notification No. 491 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 274 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Rakesh Kumar S/o Mr. Madan Lal R/o Gopal Nagar, Kundrorian, Katra, Tehsil and District Reasi vide Notification No. 350 dated 14-07-2014 has been declared as absolute/final.

By order.

Notification

No. 275 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Raja Fasal Malik S/o Mr. Zahoor Ahmad Malik R/o Moogwall, Malikpora, Anantnag, A/P Channi Rama, Opp. Tawish, B.Ed. College, Jammu vide Notification No. 1130 dated 20-03-2014 has been declared as absolute/final.

By order.

Notification

No. 276 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Partap Singh S/o Mr. Thakar Dass R/o Senabathi, Tehsil Banihal, District Ramban vide Notification No. 513 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 278 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Nadeem Ahmad Pandit S/o Mr. Mohd Yousuf Pandit R/o Nowpora, Khanyar, Srinagar vide Notification No. 1071 dated 19-03-2014 has been declared as absolute/final.

By order.

Notification

No. 279 Dated 25-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Harit Sharma S/o Mr. Rajesh Sharma R/o Opposite District Court Complex, Ward No. 2, Kathua vide Notification No.936 dated 23-12-2014 has been declared as absolute/final.

By order.

(Sd.) MOHAMMAD YASIN BEIGH,

Joint Registrar (Admn.).

—————
GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT —DEPARTMENT OF RURAL
DEVELOPMENT AND PANCHAYATI RAJ, SRINAGAR.

Subject :—Handling over and taking over of the charge of the post of Secretary to Government, Department of Rural Development and Panchayati Raj.

—————
In pursuance of Government Order No. 1099-GAD of 2016 dated 15-10-2016 issued by the General Administration Department under endorsement No. GAD(Ser)Genl/121/2016 dated 15-10-2016, we the undersigned do hereby hand ver and takeover the charge of the post of Administrative Secretary to Government, Rural Development Department today the 17th of October, 2016.

(Sd.) KHURSHID AHMAD SHAH, IAS.

Relieved Officer.

(Sd.) KIFAYAL HUSSAIN RIZVI, IAS.

Reliving Officer.



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Separate paging is given to this part in order that it may be filed as a
separate compilation

PART I—B

Jammu and Kashmir Government—Notification.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—CONSUMER AFFAIRS AND PUBLIC
DISTRIBUTION DEPARTMENT.

Subject :—Implementation of Mufti Mohammad Sayeed Food Entitlement
Scheme and revised rates thereof.

Reference :—PS/HFM/541 dated 29-06-2016.

Government Order No. 116-CAPD of 2016

Dated 01-07-2016.

In partial modification to Government Order No. 74-CAPD of 2016
dated 20-04-2016, the rates mentioned in para III of the said Government
Order shall be effective with effect from 01-10-2016 instead of

01-07-2016. Till then for three months i.e. from July, 2016 to September, 2016, the APL rates will be applicable to additional ration being provided under Mufti Mohammad Sayeed Food Entitlement Scheme.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAFIQ AHMED RAINA, IAS,

Secretary to Government,
CA&PD Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—AGRICULTURE PRODUCTION
DEPARTMENT.

Subject :—Re-Constitution of Board of Directors of J&K Agro Industries Development Corporation Limited under Administrative Control of Agriculture Production Department.

Reference :—Letter No. 18-1/2013-M&T (Admn.) dated 23-06-2016 from Ministry of Agriculture and Farmers Welfare, Government of India, New Delhi.

Government Order No. 210-Agri of 2016

Dated 31-08-2016.

In continuation to Government Order No. 219-Agri. of 2015 dated 30-07-2015, Shri V. N. Kale, Additional Commissioner (M&T), Department of Agriculture, Cooperation and Farmers Welfare, Ministry of Agriculture and Farmers Welfare, Government of India, New Delhi, is hereby nominated as Central Director in the Board of Directors of the J&K Agro Industries Development Corporation Limited.

By order of the Government of Jammu and Kashmir.

(Sd.) SUNDEEP KUMAR NAYAK, IAS,

Principal Secretary to Government,
Agriculture Production Department.

GOVERNMENT OF JAMMU AND KASHMIR,
HOME DEPARTMENT.

Subject :—Promotion of Mr. Kasturi Lal Bhagat, IPS (JK : 96) (Retd.) to the Super Time Scale-(i)-DIG and Super Time Scale-(ii)-IGP.

Reference :—Cabinet Desision No. 57/8/2016 dated 28-07-2016.

Government Order No. 445-Home of 2016

Dated 29-07-2016.

Sanction is hereby accorded to the creation of a supernumerary post of DIG (Pay Band 4 : Rs. 37,400-67,000/- with Grade Pay of Rs. 8900/-) w. e. f. 01-01-2010 to 31-12-2010 and a supernumerary post of IGP (Pay Band 4 : Rs. 37,400-67,000+Grade Pay Rs. 10,000/-) w. e. f. 01-01-2014 up to 31-07-2014.

Consequent upon the above, sanction is accorded to the promotion of Mr. Kasturi Lal Bhagat, IPS (JK : 96) :—

- (i) to the Super Time Scale-(i)-DIG w. e. f. 01-01-2010 to 31-12-2010 i. e. from the date it has been granted to his immediate junior ;
- (ii) to the Super Time Scale-(ii)-IGP w. e. f. 01-01-2014 up to 31-07-2014 i. e. from the date it has been granted to his immediate junior.

It is further ordered that the supernumerary post of DIG will cease to exist beyond 31-12-2010 and the supernumerary post of IGP will cease to exist beyond 31-07-2014.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Principal Secretary to Government,
Home Department.

GOVERNMENT OF JAMMU AND KASHMIR,
HOME DEPARTMENT.

Subject :—Creation/identification of the posts in the Pay Band 4 : Rs. 37,400-67,000+Grade Pay Rs.10,000/- in the Super Time Scale—(ii)— IGP.

Reference :—Cabinet Desision No. 56/8/2016 dated 28-07-2016.

Government Order No. 442-Home of 2016

Dated 29-07-2016.

Sanction is hereby accorded to the creation/identification of the following 04 posts in Pay Band 4 : Rs. 37,400-67,000+Grade Pay of Rs. 10,000/- in the Super Time Scale—(ii) IGP, of J&K Cadre w. e. f. 01-04-2016 :—

- (i) IGP Armed Headquarters ;
- (ii) IGP CIV/Legal PHQ ;
- (iii) IGP Telecommunication ;
- (iv) IGP Home Guards/CD & SDRF.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Principal Secretary to Government,
Home Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—GENERAL ADMINISTRATION
DEPARTMENT.

Subject :—Confirmation of Junior Scale KAS Probationers of 2011 batch.

Reference :—Notification No. PSC/EXAM/24/2016 dated 19-02-2016.

Government Order No. 914-GAD of 2016

Dated 18-08-2016.

In pursuance of Rule 22(1) (a) of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956 read with Rule 4 of the Jammu and Kashmir Combined Competitive Service (Probation and Examination) Rules, 2000, it is hereby ordered that the following Junior Scale KAS Probationers appointed vide Government Order No. 434-GAD of 2011 dated 08-04-2011, shall be deemed to have completed their probation period satisfactorily :—

S. No.	Name of the Officers
1.	Mr. Manu Hansa
2.	Ms. Sheetal Pandita
3.	Mr. Vishal Singh Parihar

By order of the Government of Jammu and Kashmir.

(Sd.) RAEIS AHMAD BHAT,

Under Secretary to Government.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—GENERAL ADMINISTRATION
DEPARTMENT.

Subject :—Appintment of Vice-Chairman, J&K Khadi and Village Industries Board.

Government Order No. 693-GAD of 2016

Dated 02-07-2016.

In partial modification of the Government Order No. 107-IND of 2016 dated 16-05-2016 read with the Government Order No. 575-GAD of 2015 dated 20-04-2015, and in terms of section 4(1) of the Jammu and Kashmir Khadi and Village Industries Board Act, 1965, Mr. Mansoor Hussain Sohrawardy, former MLA, is appointed as Member of the J&K Khadi and Village Industries Board.

Consequent upon his appintment as Member of the Jammu and Kashmir Khadi and Village Industries Board and in terms of section 4(3) of the Jammu and Kashmir Khadi and Village Industries Board Act, 1965, Mr. Mansoor Hussain Sohrawardy, former MLA, is hereby appointed as Vice-Chirman of the Jammu and Kashmir Khadi and Village Industries Board.

It is further ordered that consequent upon this Mr. Mansoor Hussain Sohrawardy shall be entitled to the following salary and perks :—

- | | |
|---------------------|---|
| (i) Salary | Consolidated amount of Rs. 80,000/- per month. |
| (ii) Transport | To be provided by the State Motor Garages for office use. |
| (iii) Accommodation | Fully furnished accommodation to be provided by Estates Department. |

By order of the Government of Jammu and Kashmir.

(Sd.) GAZZANFER HUSSAIN,
Commissioner/Secretary to the Government.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—GENERAL ADMINISTRATION
DEPARTMENT.

Subject :—Posting of Joint Directors, Education.

Reference :—Government Order No. 308-GAD of 2016 dated 02-04-2016.

Government Order No. 1000-GAD of 2016

Dated 20-09-2016.

In order to ensure effective functioning of the administrative units of the School Education Department and timely implementation of various schemes, the following transfers and postings are hereby ordered with immediate effect :—

1. Mr. Charandeep Singh, KAS, Member, J&K Services Selection Board, is recalled and posted as Joint Director, Education, Jammu.
2. Mr. Imam Din, KAS, Member, J&K Services Selection Board is recalled and posted as Joint Director, Education, Doda.
3. Mr. Abid Hussain, KAS, Member, J&K Services Selection Board is recalled and posted as Joint Director, Education, South Kashmir.
4. Mr. Aijaz Ahmad Bhat, KAS, Additional District Development Commissioner, Srinagar shall hold additional charge of the post of Joint Director, Education, Central Kashmir till further orders.

The above mentioned officers shall have jurisdiction over the districts as notified vide Government Order No. 308-GAD of 2016 dated 02-04-2016.

By order of the Government of Jammu and Kashmir.

(Sd.) GAZZANFER HUSSAIN,
Commissioner/Secretary to the Government.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—GENERAL ADMINISTRATION
DEPARTMENT.

Subject :—Appointment of Vice-Chairman, Jammu and Kashmir State
Advisory Board for Welfare and Development of the Other
Backward Classes (OBCs).

Government Order No. 843-GAD of 2016

Dated 02-08-2016.

Mr. Rashpaul Verma S/o Late Mr. Prabhu Dayal R/o Chhan Mationi,
Ghagwal, District Samba is hereby appointed as Vice-Chairman, Jammu
and Kashmir State Advisory Board for Welfare and Development of the
Other Backward Classes (OBCs).

The terms and conditions for the appointment of Mr. Rashpaul Verma
will be notified separately.

By order of the Government of Jammu and Kashmir.

(Sd.) BASHIR AHMAD LONE, KAS,

Additional Secretary to the Government.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Jammu, Thu., the 17th Nov., 2016/26th Kart., 1938. [No. 33

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

Subject :—Transfers and postings.

In pursuance of Government Order No. 1099-GAD of 2016 dated 15-10-2016, I hereby assume the charge of the post of Financial Commissioner, Agriculture Production Department today 18th October, 2016 in the A. N.

(Sd.) PRAMOD KUMAR JAIN, IAS,
Financial Commissioner,
Agriculture Production Department.

68 The J&K Govt. Gazette, 17th Nov., 2016/26th Kart., 1938. [No. 33

Subject :—Certificate of Transfer of Charge.

In compliance with Government Order No. 220-F of 2016 dated 07-10-2016, issued under endorsement No. DGAT/PS/DR/364 dated 07-10-2016, we the undersigned handed over and taken over the charge of Chief Accounts Officer, Directorate of Industries and Commerce, Kashmir today on 18-10-2016 (Forenoon). The following cash balance have been accepted :—

Cash at Jammu and Kashmir Bank, Residency Road, Srinagar, under CD Account No. 0005010200000156.

Cash Balance at Bank : Rs. 785812.00.

(Sd.) IRFAR-UL-HAQ, C. A. O.

Relieved Officer.

(Sd.) NISSAR AHMAD, C. A. O.

Relieving Officer.



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JAMMU & KASHMIR GOVERNMENT GAZETTE

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PART II-B

Notifications, Notices and Orders by Heads of Departments.

OFFICE OF THE COLLECTOR, LAND ACQUISITION
(SDM), BANI.

Corrigendum

While verifying the Khasra Nos. and area on the notification issued under section 4(1) of the Land Acquisition Act, 1990 vide this office No. SDMB/LA/42-48 dated 12-08-2015 for the acquisition of land measuring 12 kanals 11 marlas for construction of road from Chaloge to Dhaman at Village Bari, Tehsil Bani and also while considering the objections raised by

some of the land owners, it is hereby notified that the following Khasra Nos. along with the area shown against them may be read in place of below mentioned Khasra Nos. and area :—

Previous Particulars of land				
District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
Kathua	Bani	Bani		K. M. S.
			98	00-02-00
			101	00-04-00
			102	00-10-00
			103	00-02-00
			104	00-10¼-00
			292	00-01-00
			296	00-03-00
			297	00-09-00
			298	00-03-00
			299	00-05-00
			300	00-04-00
			302	00-01-00
			303	00-12-00
			304	00-2½-00
			305	00-03-00
			335	00-15-00
			336	00-01-00
			341	00-04-00
		1381/1358/1351/344		07-19-00
		1318/345		04-11-00
		1320/346		02-14-00
		655		00-04-00
		656		00-03-00
		658		01-03-00
		659		00-15-00
		660		00-12¼-00

1	2	3	4	5
				K. M. S.
			661	00-07-00
			672	00-01-00
			673	00-03-00
			674	00-08-00
			675	00-12-00
			678	00-07-00
			679	00-07-00
			691	00-03-00
			693	00-9½-00
			694	00-10½-00
			695	00-10½-00
			697	00-09-00
			704	00-09-00
			724	00-07-00
			726	00-18-00
			727	00-02-00
			728	00-03-00
			731	00-05-00
			733	00-08-00
			736	00-03-00
			738	00-19-00
			739	00-10-00
			756	01-07-00
			757	00-03-00
			810	00-04-00
		1325/1302/811		00-07-00
			819	01-07-00
			820	00-14-00
			821	00-03-00
			822	00-08-00
		1477/1322/850 min		00-17-00
		1477/1322/850 min		06-13-00
			851	01-09-00
			852	00-05-00
			949	00-09-00

Total Khasra Nos.=61, Total Land =45 Kanals 5½ Marlas.

Correct Particulars of Land :—

1	2	3	4	5
				K. M. S.
			98	00-02-00
			101	00-04-00
			102	00-10-00
			103	00-02-00
			104	01-00-00
			292	00-01-00
			296	00-14-00
			297	00-09-00
			298	00-03-00
			299	00-05-00
			300	00-04-00
			302	00-01-00
			303	00-12-00
			304	00-2½-00
			335	00-15-00
			336	00-01-00
			341	00-04-00
		1381/1358/1351/344		07-19-00
		1318//345		04-11-00
		1320/346		02-14-00
			655	00-04-00
			656	00-03-00
			658	01-03-00
			659	00-15-00
			660	00-12¼-00
			661	00-07-00
			672	00-01-00
			673	00-03-00
			674	00-08-00
			675	00-12-00
			678	00-07-00

1	2	3	4	5
				K. M. S.
			679	00-07-00
			691	00-03-00
			693	00-9½-00
			694	00-10½-00
			695	00-10½-00
			697	00-09-00
			704	00-09-00
			724	00-07-00
			726	00-18-00
			727	00-02-00
			728	00-03-00
			731	00-05-00
			733	00-08-00
			736	00-03-00
			738	00-19-00
			739	00-10-00
			756	01-07-00
			757	00-03-00
			810	00-04-00
		1325/1302/811		00-07-00
			819	01-02-00
			820	00-14-00
			821	00-03-00
			822	00-08-00
		1477/1322/850 min		00-17-00
		1477/1322/850		06-13-00
			851	01-09-00
			852	00-05-00
			949	00-09-00

Total Khasra Nos.= 60 ; Total Land = 46 Kanals 03¼ Marlas.

(Sd.) AJEET SINGH (KAS),

Collector, Land Acquisition

(SDM), Bani.

OFFICE OF THE COLLECTOR, LAND ACQUISITION,
POWER GRID CORPORATION OF INDIA LTD.,
NARWAL BALA, BY-PASS ROAD, JAMMU.

Subject:—Notification under section 4(1) of Land Acquisition Act, 1990 Svt. as amended up-to-date.

In exercise to powers conferred upon me under section 4(1) of Land Acquisition Act, 1990 Svt., I, Kusum Sharma (KAS), Collector, Land Acquisition, Power Grid Corporation of India Limited, Jammu, do hereby notify that the land measuring 02 K-11M of Village Trigam in Tehsil and District Kishtwar, particulars of which shown below is likely to be acquired for public purpose namely construction of 400 KV D/C (Quad) Dulhasti-Kishenpur Transmission Line.

District	Tehsil	Village	Location No.	Khasra Nos.	Area K. M.
Kishtwar	Kishtwar	Trigam	13	350 Min	01-06
			14	347 Min	01-05
			Total		02-11

Any objections to the acquisition of the land shall be filed to the undersigned within 15 days from the date of publication of this notification. After expiry of the time no objections will be entertained.

(Sd.) KUSUM SHARMA (KAS),
Collector,
Land Acquisition,
Power Grid Corporation of India,
NR-II, Narwal, Bye-Pass, Jammu.

OFFICE OF THE COLLECTOR, LAND ACQUISITION,
POWER GRID CORPORATION OF INDIA LTD.,
NARWAL BALA, BY-PASS ROAD, JAMMU.

Subject :—Notification under section 4(1) of Land Acquisition Act, 1990
Svt. as amended up-to-date.

In exercise to powers conferred upon me under section 4(1) of Land Acquisition Act 1990, Svt., I, Kusum Sharma (KAS), Collector, Land Acquisition, Power Grid Corporation of India Limited, Jammu, do hereby notify that the land measuring 02K–19 M of Village Thathri in Tehsil Thathri and District Doda, particulars of which shown below is likely to be acquired for public purpose namely construction of 400 KV D/C (Quad) Dulhasti-Kishenpur Transmission Line.

District	Tehsil	Village	Location No.	Khasra Nos.	Area K. M.
Doda	Thathri	Thathri	58	926/133	00–14
				925/132	00–13
			59	100	01–03
				101	00–09
				Total	02–19

Any objections to the acquisition of the said land shall be filed to the undersigned within 15 days from the date of publication of this notification. After expiry of the time no objections will be entertained.

(Sd.) KUSUM SHARMA (KAS),
Collector,
Land Acquisition,
Power Grid Corporation of India,
NR-II, Narwal, Bye-Pass, Jammu.

OFFICE OF THE COLLECTOR, LAND ACQUISITION,
POWER GRID CORPORATION OF INDIA LTD.,
NARWAL BALA, BY-PASS ROAD, JAMMU.

Subject :—Notification under section 4(1) of Land Acquisition Act,
1990 Svt. as amended up-to-date.

In exercise to powers conferred upon me under section 4(1) of Land Acquisition Act, 1990 Svt., I, Kusum Sharma (KAS), Collector, Land Acquisition, Power Grid Corporation of India Limited, Jammu, do hereby notify that the land measuring 02K–11 M of Village Trigam in Tehsil and District Kishtwar, particulars of which shown below is likely to be acquired for public purpose namely construction of 400 KV D/C (Quad) Dulhasti-Kishenpur Transmission Line.

District	Tehsil	Village	Location No.	Khasra Nos.	Area K. M.
Kishtwar	Kishtwar	Trigam	13	350 min	01–06
			14	347 min	01–05
			Total		02–11

Any objections to the acquisition of the said land shall be filed to the undersigned within 15 days from the date of publication of this notification. After expiry of the time no objections will be entertained.

(Sd.) KUSUM SHARMA (KAS),
Collector,
Land Acquisition,
Power Grid Corporation of India,
NR-II, Narwal, Bye-Pass, Jammu.



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ADVERTISEMENTS–C

TRAFFIC POLICE HEADQUARTERS, J&K, SRINAGAR.

Extension Notice

Due to poor response, the last date for receipt of tender offers against this Hqrs. NIT No. 01/2016 dated 30-09-2016 issued under endorsement No. THQ/GB/Crane-01/2016/9423-40 dated 30-09-2016 for supply of 05 (Five) No. Cranes (03-Ton Hydraulic Wrecker with under-lift arrangement

for vehicles) on hiring basis is hereby extended up to 20-11-2016. Accordingly, the technical bids of the tenders shall be opened on 25-11-2016 at 1400 hours. In case of unforeseen circumstances, the date of opening will be next working day.

After shifting of offices to Jammu on the eve of Darbar Move Winter, 2016, tenders shall be received at this Headquarters Jammu's Office (at Channi Rama, Jammu-180015). However, all other terms and conditions of the above NIT shall remain unchanged.

Extension notice is also available on PHQ J&K's website, www.jandkpolice.org.

(Sd.)

Inspector General of Police, Traffic,
J&K, Srinagar.



رجسٹرڈ نمبر جے کے۔ 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 129۔ جموں۔ مورخہ 17 نومبر 2016ء بمطابق 26 کارٹاکا 1938ء ویروار۔ نمبر 33

استہارات

از عدالت سب جج جوڈیشل مجسٹریٹ درجہ اول نوشہرہ

سرکار بنام سونیل کمار

مثل نمبر 203 / چالان، دائرہ 01-10-2013، تاریخ فیصلہ 29-09-2015

علت نمبر 129 سال 2013ء، تھانہ پولیس نوشہرہ

جرائم زیر دفعات : 337, 338 RPC, U/S 279

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ض ف

130۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 33 مورخہ 17 نومبر 2016ء بمطابق 26 کارٹا 1938۔ ضمیمہ ج

بخلاف ملزم: سونیل کمار ولد منشی رام ساکنہ ملک پورہ آرائیس پورہ تحصیل آرائیس پورہ
ضلع جموں حال گورنمنٹ کوارٹر نمبر 8، RTC کنال روڈ جموں۔

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

بمقدمہ مندرجہ عنوان اُصدر میں ملزم متذکرہ صدر کے خلاف بروئے حکم
امروزہ کارروائی زیر دفعہ 512 ض ف عمل میں لائی جا چکی ہے اور ملزم کے خلاف
وارنٹ جاری کرنے کا حکم ہوا ہے جو کہ جاری کیا جاتا ہے۔

لہذا آپ کو اصل وارنٹ گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری کی رو
سے حکم اختیار دیا جاتا ہے کہ اگر ملزم مذکورہ متذکرہ صدر اندر حدود ریاست جموں
و کشمیر جب کبھی اور جہاں کہیں بھی دستیاب ہوا تو اُس کے تحت ضابطہ گرفتار کر کے
عدالت ہذا میں پیش کیا جاوے۔ وارنٹ ہذا تادستیابی ملزم زیر کار رہے گا۔

سرکار بنام مکھن دین، منیر حسین وغیرہ

مثل نمبر 12 / چالان، دائرہ 06-02-2015، تاریخ فیصلہ 19-12-2015

علت نمبر سال 2013ء، تھانہ پولیس نوشہرہ

جرائم زیر دفعات : U/S 451, 323, 504, 506 RPC

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ض ف

بخلاف ملزم : منیر حسین ولد حبیب اللہ قوم گوجر ساکنہ پکھر نی (لام) تحصیل نوشہرہ
ضلع راجوری۔

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

مقدمہ مندرجہ عنوان اُلصدر میں ملزم متذکرہ صدر کے خلاف بروئے حکم
امروزہ کارروائی زیر دفعہ 512 ض ف عمل میں لائی جا چکی ہے اور ملزم کے خلاف
وارنٹ جاری کرنے کا حکم ہوا ہے جو کہ جاری کیا جاتا ہے۔

لہذا آپ کو اصل وارنٹ گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری کی رو
سے حکم و اختیار دیا جاتا ہے کہ اگر ملزم مذکورہ متذکرہ صدر اندر حدود ریاست جموں
و کشمیر جب کبھی اور جہاں کہیں بھی دستیاب ہوا تو اُس کے تحت ضابطہ گرفتار کر کے
عدالت ہذا میں پیش کیا جاوے۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

سرکار بنام پرویز احمد

مثل نمبر 23 / چالان، دائرہ 30-08-2010، تاریخ فیصلہ 28-09-2015

علت نمبر 77 سال 2010ء، تھانہ پولیس نوشہرہ

جرائم زیر دفعات : U/S 279,337,338, RPC

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ض ف

بخلاف ملزم : پرویز احمد ولد نور حسین قوم گوجر ساکنہ جھنگر تحصیل نوشہرہ

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

بمقدمہ مندرجہ عنوان اُصدر میں ملزم متذکرہ صدر کے خلاف بروئے حکم
امروزہ کارروائی زیر دفعہ 512 ض ف عمل میں لائی جا چکی ہے اور ملزم کے خلاف
وارنٹ جاری کرنے کا حکم ہوا ہے جو کہ جاری کیا جاتا ہے۔

لہذا آپ کو اصل وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری
کی رو سے حکم و اختیار دیا جاتا ہے کہ اگر ملزم مذکور متذکرہ صدر اندر حدود ریاست
جموں و کشمیر جب کبھی اور جہاں کہیں بھی دستیاب ہوا تو اُس کے تحت ضابطہ گرفتار کر
کے عدالت ہذا میں پیش کیا جاوے۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

دستخط : سب جج جوڈیشل مجسٹریٹ درجہ اول نوشہرہ۔



PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Jammu, the 15th September, 2016.

SRO-297.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Shri Tabish Saleem, Tehsildar, Khari to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within his territorial jurisdiction of District Ramban.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—REVENUE DEPARTMENT

Notification

Srinagar, the 20th September, 2016.

SRO-303.—In exercise of the powers conferred by rule 18 of the Jammu and Kashmir Lambardari Rules, 1980, the Government hereby appoint Deputy Commissioner, Kupwara, Mr. Rajiv Ranjan, IAS, as the Returning Officer for the purpose of holding the election of Lambardar of Village Waripora Gonipora, Tehsil Handwara, District Kupwara.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Commissioner/Secretary to Government,
Revenue Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Srinagar, the 27th September, 2016.

SRO-311.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint the Officers mentioned in the Annexure “A” to this notification to be the Executive Magistrates of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within such jurisdiction as may be assigned to them by the District Magistrate, Bandipora.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—REVENUE DEPARTMENT
(Haj & Auqaf Section)

Notification

Srinagar, the 27th September, 2016.

SRO-312.—In exercise of the powers conferred by section 3 of the Jammu and Kashmir Muslim Specified Wakafs and Specified Wakaf Properties (Management and Regulation) Act, 2004, the Government after receiving a report/recommendations from the Jammu and Kashmir Board for Muslim Specified Wakafs and Specified Wakaf Properties hereby include the Ziarat Sharief Sheikh Ahmad Kareem (R. A.) alias Zinda Shah, Peer Ki Gali, Mugal Road (Shopian) as specified Wakaf in Schedule “A” of the aforesaid Act.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Commissioner/Secretary to Government,
Revenue Department.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
HOME DEPARTMENT

Notification

Srinagar, the 27th September, 2016.

SRO-313.—In exercise of the powers conferred by sub-section (2) of section 4 of the Jammu and Kashmir Public Safety Act, 1978 and in partial modification of SRO Notification 243 of 1978 dated 27-04-1978, the Government hereby direct that the following amendment shall be made in SRO-98 of 2010 ; namely :—

After clause (a) under the sub-heading (II) “NUBRA SUB-DIVISION” under the heading “TOUR CIRCUITS”, the following shall be added as clause (b) ; namely :—

“(b) beyond Panamik up to Warshi including Yarma Gompa/ Yarma Gonboo Monastery in Nubra Valley”.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Principal Secretary to Government,
Home Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—REVENUE DEPARTMENT

Notification

Srinagar, the 3rd October, 2016.

SRO-316.—In exercise of powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No. XIII of 1963) and in supersession of all the notifications issued in this behalf, the Government hereby appoint Mr. Mohammad Syed Khan, (KAS), Assistant Commissioner Revenue, Kishtwar to be the competent authority for the purposes of said Act within the territorial jurisdiction of District Kishtwar.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRIF MIR,

Commissioner/Secretary to Government,
Revenue Department.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
EMPLOYEES INSURANCE COURT, J&K, JAMMU.

Present : Kossar Ahmad Qureshi, Presiding Officer.

File No. 70/ESI.

Date of Institution : 22-05-2007.

Date of Decision : 01-08-2016.

FIL Industries Limited V/s. Employees State Insurance Corporation
through Assistant Director, Employees State Insurance Corporation and
others.

(Petitioner)

(Respondent)

Appearing Counsel :

For the Petitioner : Mr. Vipin Gandotra, Advocate.

For the Respondent : Mr. Swami Raj Sharma, Advocate.

ORDER

This petition under section 77 of ESI Act, 1948 has been filed on behalf of FIL Industries Ltd. against the respondents stating as under :—

1. That Respondent No.1, ESI Corporation through its Assistant Director, Jammu branch had issued a notice for payment of Rs. 2,29,377/- (Rupees two lakh, twenty nine thousand three hundred and seventy seven) as ESI contribution.
2. That the petitioner is having a company which is registered under Company's Act at Bari Brahmana, Jammu, where pesticides are manufactured.
3. That the petitioner company does not own the liability raised under the notice in question.
4. That the company has on its roll 44 workers only and the company deposits ESI contributions on their behalf on regular basis.
5. That besides the labour directly engaged by the company, some casual workers are engaged on some occasions who are not regular employees and they have no contract of service with the company, because the company cannot afford to employ full time employees for menial jobs.
6. That these casual workers are paid a small amount as wages and they cannot be covered under the ESI Act.
7. That the number of labour varies from time to time, month to month and year to year as per the requirement of the company.
8. That the petitioner company is not the employer nor ever was an employer of any labour engaged by the private respondents

nor any privity of contract ever existed between the petitioner company and private respondents.

9. That the financial arrangements with the private respondents is such that these include the total amount payable to the private respondents under any law including ESI Act.
10. That it is the private respondent who have to look to the welfare of the labour engaged by them.
11. That the labour engaged by private respondents are not on permanent basis.
12. That the persons who come through private agency is for a certain day and next day the said person may not come and somebody else may work in his place.
13. That private persons do not engage any skilled worker as they are not needed by the petitioner company.
14. That the methodology of payment is also relatable to the number of containers, packed by them in a day and it has nothing to do with the time of worker.
15. That the demand has been raised by Respondent No.1 on the basis of one kind of inspection conducted sometime back and after the said inspection several correspondence came to existence between the petitioner company and Respondent No.1.
16. That the Respondent No.1, in contravention of the law and utter disregard of its jurisdiction, has raised the demand to the prejudice and to the detriment of the petitioner company.
17. That the inspection conducted by Respondent No.1 was also in violation of rules and natural justice and the material collected

during the course of action was also wrong because the person from whom the enquiries were made were engaged by the private persons and who had nothing to do with the petitioner company and all this was done in absence of the petitioner company.

18. That the petitioner company, as such, disputes the inspection of ESI Inspector and its report submitted to its higher authorities.
19. That the action taken on the basis of the said report is not correct, which is disputed by the petitioner company.
20. That the Respondent No. 1 has also included some labourers, who were involved in loading and unloading of the vehicles, in the list of permanent workers of petitioner company.
21. That the Respondent No.1 has also included some security persons in the list of the workers of the company, though the security persons are supplied by the private company, and such persons continue to change as per the need of the petitioner company.
22. That the petitioner company has prayed for declaring the demand notice as illegal and against the provisions of law, and as such requires to be quashed.

The Respondent No.1 has submitted its objections to the petition of the petitioner company as under :—

- (1) That as per ESI Act there are two types of employers, principal employer and the immediate employer and as per petition, the private respondents who are directly engaged by the petitioner company engage other labourers for the work of the company and as per section 40 of ESI Act, the principal employer should pay in respect of every employee, whether directly engaged by

him or through an immediate employer, both the employer's contribution and the employee's contribution.

- (2) That in reply to sub-para 'b' of para 3 of the petition it is submitted that as per ESI Act, the principal employer should pay in respect of every employer, whether directly employed by him or through immediate employer i. e. the employer's contribution and the employee's contribution.
- (3) That the private respondents are contractors, who engage labourers for the work of the company and pay them wages.
- (4) That as per section 41 of ESI Act, the principal employer, who has contributed in respect of an employee employed by him or through an immediate employer shall be entitled to recover the amount of contribution, so paid, from the immediate employer either by deduction from any amount payable to him by the principal employer under the contract or as a debt payable by the immediate employer and as such all these labourer engaged by the private respondents come within the definition of employee as in section 2(9) of ESI Act and are therefore, employees of petitioner company.
- (5) That the labourers engaged by the private respondents comes within the definition of employees and are therefore employees of the petitioner company.
- (6) That the petitioner company is covered under ESI Act with ESI Code 19/0387.
- (7) That three inspectors namely Shri Ramphal, Shri Mohan Singh and Shri Subash Chander along with Shri Sindhu Ram, Assistant Director and Shri S. Ghosh, Joint Director visited the petitioner company on 10-11-2005 and found 54 employees coverable

under ESI Act although they were not covered by the petitioner company.

- (8) That the inspection note which was completed by the ESI Corporation was acknowledged by the petitioner company.
- (9) That the petitioner company appeared before the Assistant Director of the corporation and sought time to file actual position but finally stated that the entire statement prepared by the corporation is based on false grounds, but the corporation rejected the plea of petitioner company.
- (10) That the respondent No. 1 has stated that the petitioner company is liable to pay the amount of demand notice under the provisions of ESI Act and finally prayed for dismissal of the petition filed by the petitioner company.
- (11) That other respondents were set *ex parte* due to their continuous absence from the proceeding of the case. Some respondents filed application for setting aside *ex parte* proceedings against them.
- (12) That these respondents have not given any clear submission regarding the employment of labours with petitioner company, though they have accepted that the payment of wages of labourers were made to these respondents/contractors by the petitioner company directly because these labourers were supplied to the petitioner company from time to time as per need by these contractors.

The petitioners were directed to adduce evidence in respect of their contentions, however the petitioner in the first instance was directed to adduce the evidence.

The petitioner filed written statements of two witnesses namely Shri M. C. Sharma and Shri Sunil Varma in the shape of affidavits and after that the witnesses were directed to appear for cross-examination.

The witnesses appeared as per direction of the court but there was nobody to cross-examine the witnesses even though so many opportunities were given to the Respondent No. 1 for this purpose. The respondent also did not choose to produce any evidence in rebuttal and finally the evidence was closed and as such the statement of witnesses of petitioner company remained unrebutted.

From the perusal of the petition, its objections, the record available on case file and the evidence of the petitioner the following points emerged in the case :—

- I. That the petitioner company had engaged 44 workers as regular employees by the company.
- II. That the petitioner company used to engage extra labour as per need from time to time.
- III. That all the extra labourers were engaged through contractors and the payment of wages of these labourers was made to the said contractor.
- IV. That the services of some security persons were also used by the company through contractors and their payment was also made to the said security agency.
- V. That the extra labourers engaged through contractors were not permanent but at one time a, b, c were engaged and on another time d, e, f were engaged and such practice continues throughout of the notice period. The above points are proved in terms of

record, evidence and other aspects of the case which are now discussed below :—

During the course of inspection by the respondent corporation, there were also contract labourers working for loading and unloading of vehicles and the inspection team also included these labourers in the list of permanent workers as such they have given the number of regular employees as 54 instead of 44. The Respondent No. 1 has also failed to produce those labourers/official staff before this court to verify the contentions made in the demand notice as well as in the inspection report.

The witnesses of petitioner company have stated that the petitioner company has only 44 workers and the company is contributing ESI contribution on behalf of these workers regularly. Both the witnesses have supported the contentions made in the petition of the petitioner and have further stated that some casual workers are engaged on some occasions and these workers are not regular employees and they have no contract of services with the company because the company cannot afford to employ full time employees for menial jobs. It is further stated that, these workers are casual and are paid small amount as wages and will not be covered under the Act.

The Hon'ble Supreme Court has also held that "the employer not supervising the work of the contractor's employees is not liable to cover such employees under the ESI and pay their contribution [C.E.S.C. Limited Vs. Subash Chander Bose, 1992 Lab IC 332: AIR 1992 SC 573: 1992 ILLJ 475: LLR 81(SC).]

The evidence produced by the petitioner company remained un rebutted as such there is no reason to disbelieve the petitioner, as such its evidence is treated as proved.

It was obligatory upon the Respondent No. 1 to adduce evidence in support of their contention on the basis of which they have made the demand of an amount of Rs. 2,29,377/- against the petitioner company but they have failed even to produce the concerned inspectors to verify the report upon which the demand of amount was made.

It is also the matter of record that 5 persons, as stated in the objections were given the task of inspection of the petitioner company but none of them appeared as witness before this court to verify the report submitted by them to their higher authorities. The contention made in the petition of the petitioner company that the inspection report of the respondent corporation is based on frivolous and fabricated facts seems correct and the plea of Respondent No. 1 that the petitioner company is liable to deposit Rs. 2,29,377/- as ESI contribution is not supported by any oral and documentary evidence, as such the plea of the Respondent No. 1 cannot be accepted.

It has been proved by the evidence of petitioner company that the labourers engaged through private persons are not the permanent employees of the company but are casual workers and they have no contract of service with the company and therefore they cannot be covered under ESI Act. There are only 44 workers working in the petitioner company and company is regularly contributing towards their ESI fund and as such the demand notice issued by

Respondent No. 1 for an amount of Rs. 2,29,377/- against the petitioner company is illegal and based on concocted facts. The said demand notice issued under No. JK/19/387/217 dated 21-02-2007 is hereby quashed.

The respondent corporation is restrained to claim the amount of demand notice from the petitioner company.

The file after its due completion be consigned to records. There is however, no order as to costs.

Announced :

Dated 01-08-2016.

(Sd.) KOSSAR AHMAD QURESHI,

Presiding Officer,
District and Sessions Judge,
Industrial Tribunal-cum-Labour Court,
J&K, Jammu.